

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

IN RE:

RAYMOND ARCHULETTA,

Debtor.

Case No. 19-10038-ta7

ORDER

This matter came before the Court for a final hearing on a North Hills Property Owner's Association, Inc.'s ("North Hills") Motion Objecting to Claim of Exemptions, filed February 7, 2019, doc. 22. For the reasons stated in the accompanying Opinion, and being otherwise sufficiently advised, the Court HEREBY ORDERS:

1. Homestead Exemption Allowed. North Hills' objection to Debtor's homestead exemption is overruled, subject to the limitations set out below.
2. Amended Petition. Within 14 days of the entry of this Order, Debtor shall amend his bankruptcy petition to show the alternative spellings of his surname and to state his legal name as reflected on his birth certificate and social security card.
3. Collection Action Against Miramontez Estate. North Hills may continue its collection action against the estate of Judy A. Miramontez. In doing so, North Hills may name Debtor in his capacity as the estate's personal representative.
4. Post-petition Claim Against Debtor Personally. North Hills may sue Debtor personally for property assessments accruing post-petition, subject to any defenses Debtor may have.

5. North Hills May File a Judgment Lien on Debtor's House. Should North Hills obtain a judgment against the estate of Judy A. Miramontez, North Hills may record a transcript of judgment in Sandoval County, New Mexico, thereby encumbering the house at issue.

6. No Violation of Discharge Injunction. North Hills may take the actions discussed in paragraph 3-5 above without violating Debtor's discharge injunction.



Hon. David T. Thuma
United States Bankruptcy Court

Entered: January 28, 2020

Copies to: Counsel of record